

## REMARKS

Examiner has objected to drawings under 37 CFR 1.83(a), stating that “the channel adapted to cooperatively receive either of two differing thickness of siding must be shown or the feature(s) canceled from the claim(s).” Examiner has, accordingly, requested a proposed drawing correction. In response thereto, Applicant has now amended all relevant claims to delete the words “either of two”, so that all relevant claims now read, in pertinent part, “...channel so formed is adapted to cooperatively receive differing thicknesses of siding.” The current amendment, as also noted by Examiner, is already supported by Applicant’s original specification. Accordingly, Applicant respectfully believes that Examiner’s objection is now moot.

Examiner has further objected to the specification as failing to provide proper antecedent basis for the claimed language “channel so formed is adapted to cooperatively receive differing thicknesses of siding.” As noted above, Applicant has now amended all relevant claims to delete the words “either of two”, so that all relevant claims now read, in pertinent part, “...channel so formed is adapted to cooperatively receive differing thicknesses of siding.” Accordingly, Applicant respectfully believes that Examiner’s objection is now moot.

Examiner has rejected Claims 1, 2, 4, 5, 7-11 and 20 under 35 U.S.C. 103(a), as being unpatentable over U.S. Patent No. 5,836,123 to Gulino. In response thereto, Applicant provides Examiner with the following arguments and foregoing amendments distinguishing Applicant’s device from that of Gulino.

The Gulino device is a corner trim piece; that is, it is only functionally operative upon engaging two surfaces disposed at a right angle to one another (i.e., a corner surface). Contrary to Examiner's assertion, not all corner trim pieces, trim pieces and brickmolds are recognized equivalents solely because each might provide a decorative outer surface for a building structure. Indeed, the varying underlying structural configuration of each type of molding makes application of same over a building structure a specific "matching" process to ensure proper mating of the molding to the underlying building surface. Nowhere in the Gulino patent does it teach or even suggest application and/or structural modification of the Gulino corner trim piece for application around the perimeter of window and/or door frame for receiving siding. Instead, the Gulino corner trim piece is designed to receive the proximal edges of two pieces of siding terminating at the corner of a building structure, wherein the pieces of siding are disposed at a right angle to one another. Applicant's device is structurally configured to engage a single planar surface of a building structure.

Specifically, Applicant's device comprises a planar bottom surface which structurally enables Applicant's brickmolding to engage a single planar surface of a building structure; that is, Applicant's device does not engage a building corner, and thus, does not have to receive the proximal edges of two pieces of siding terminating at the corner of a building structure, as is required by the Gulino device. The only type of planar molding that Gulino discloses is a "planar vinyl-siding corner block" that must be used in conjunction with a conventional J-channel (see Gulino, Col. 8, lines 51-55), as opposed to being integrally formed therewith, as in Applicant's device. Moreover, in use, the Gulino "planar vinyl-siding corner block" is positioned in the J-channel and the block is attached to the building by the vertical tongue...the vertical tongue functions to...prevent undesirable noise caused by wind-induced vibration of the block in the J-

channel” (see Gulino, Col. 8, lines 57-63). Furthermore, a plurality of such “planar vinyl-siding corner blocks” must be stacked, one onto the other, and each positioned within the J-channel; thus, requiring multiple nailing, extensive caulking, and much labor. However, Applicant’s device provides a brickmolding with an integrally-formed and uninterrupted or continuous J-channel formed therein, therefore eliminating the multiple stacking process as is required in Gulino.

In support of Applicant’s foregoing arguments, Applicant has now amended the claims to recite the limitation of “said planar bottom surface structurally configured to engage a single planar surface of a building structure;” thus, distinguishing Applicant’s device from that of Gulino. Accordingly, Applicant respectfully believes that the rejected claims are now in condition for allowance.

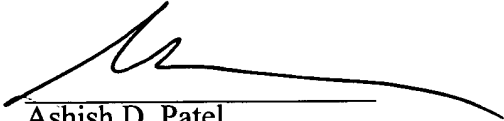
## CONCLUSION

The above-made amendments are to form only and thus, no new matter was added. Applicant respectfully believes the above-made amendments now place the Claims and application in condition for allowance. This Response to Office Action is believed to be a full and complete response to the present Office Action. Should there be any questions or concerns, the Examiner is invited to telephone Applicant's undersigned attorney.

Respectfully submitted,

Dated:

07/22/04

  
Ashish D. Patel  
Attorney for Applicant  
Reg. No. 50,177

Myers & Kaplan,  
Intellectual Property Law, L.L.C.  
1899 Powers Ferry Road  
Suite 310  
Atlanta, GA 30339  
Phone: 770-541-7444  
Fax: 770-541-7448  
E-mail: [apatel@mkiplaw.com](mailto:apatel@mkiplaw.com)